



## National Marine Fisheries Service, NW Region

### *Makah Whaling*

The Makah Indian Tribe has received a five-year quota from the International Whaling Commission (IWC) to harvest 20 gray whales for ceremonial and subsistence purposes. The Tribe may harvest up to five whales each year from 1998 through 2002. The U.S. government requested the quota from the IWC on the behalf of the Tribe in acknowledgment of the Makah Tribe's explicit treaty right to whaling. NMFS-Northwest Regional Office will monitor the harvest and work with the Tribe to ensure that the harvest is conducted within the IWC constraints in accordance with an October 1997 agreement between the government and the Tribe. Specific points on Makah whaling are as follows.

- The Makah Tribe has a centuries-old tradition of whaling that continues to be a focal point of the Makah culture and social structure. Whaling is so important to the Tribe that it insisted that its rights to continue whaling be written into the Treaty of Neah Bay signed by the U.S. government in 1855. The treaty with the Makah is the only treaty with a provision that explicitly reserves the right of an Indian tribe to whale.
- The Makah have not been active whalers for much of this century after non-Indian commercial whalers depleted the gray whale population. The gray whale population recovered and was delisted from the Endangered Species Act (ESA) in 1994. In an effort to revive their tribal heritage subsequent to the ESA delisting, the Makah Tribe requested the government's assistance in resuming the exercise of their treaty right to hunt for gray whales for ceremonial and subsistence purposes.
- Because of treaty obligations and the importance of maintaining cultural diversity and the traditions of indigenous people, the U.S. government supported the Makah Tribe's request for aboriginal subsistence whaling and sought an IWC- approved quota.
- Makah whaling is within the scope of IWC's provision for aboriginal subsistence whaling. The IWC approved a combined 5-year quota of 620 gray whales for U.S. and Russian aboriginals based on the aboriginal needs statements from each country. The Makah quota is 20 whales landed over 5 years (1998 through 2002) with no more than 33 strikes.
- The most recent gray whale population estimate exceeds 22,000 whales. The IWC quota for the U.S. and Russia does not pose any conservation risk to the gray whale population.
- The Makah hunt has no commercial aspects. The Tribe has committed in a written agreement with NOAA that the meat will be used only for local consumption and will not be sold. This commitment is reinforced by federal regulations at 50 CFR part 230 which state "No person may sell, or offer for sale, whale products from whales taken in an aboriginal subsistence hunt, except that authentic articles of native handicraft may be sold or offered for sale."
- The Makah Tribe will use traditional methods of harvest including use of a canoe and hand-thrown harpoon. However, to ensure the humaneness of the hunt, the Tribe will use a 50-caliber rifle to dispatch the whale. Federal biologists have participated in the testing of this rifle and determined that a gray whale can be quickly and humanely dispatched with a single, properly placed shot.

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